

# **MENOMINEE TRIBAL GAMING COMMISSION BY-LAWS**

## **ARTICLE ONE - OFFICE:**

The principle office of the Menominee Tribal Gaming Commission (Commission) shall be on the Menominee Indian Reservation. The physical address of the Commission is Hwy 47 at the Menominee Nation Casino. The official address of the Commission is P.O. Box 910, Keshena, WI 54135.

## **ARTICLE TWO - REPORTS:**

The Commission through the Executive Director will make written annual reports to the General Council via the Menominee Indian Tribe of Wisconsin Annual Report. The Commission through the Executive Director will make monthly reports to the Menominee Tribal Legislature via the monthly report of the Executive Director.

## **ARTICLE THREE - MEMBERS:**

### **Section I – Authority**

The Authority of the Commission is derived from Ordinance 93-30, Menominee Indian Tribal Gaming Code, which has been enacted by the Menominee Tribal Legislature and has been approved by the National Indian Gaming Commission.

### **Section II - General Powers**

The activities of the Commission shall be managed by the Members of the Commission. The members of the Commission shall be vested with all powers necessary to oversee the regulation and operation of gaming pursuant to the Menominee Indian Tribal Gaming Code 93-30. The members of the Commission are bound by the Ethics Code (see attached code of ethics).

### **Section III - Membership**

The Commission shall be composed of five (5) members. The members of the Commission will be appointed by a majority vote of the Menominee Tribal Legislature.

### **Section IV - Duties and Powers**

The members of the Commission shall in all cases act as a Commission. The Commission shall promulgate such regulations and guidelines as it deems appropriate to implement and enforce the provision of the Menominee Indian Tribal Gaming Code 93-30 and be consistent with the Indian Gaming Regulatory Act (IGRA), Tribal/State Gaming Compact and the regulations of the National Indian Gaming Commission (NIGC), along with any other Tribal Ordinances, codes and/or regulations.

### **Section V - Compensation**

Members of the Commission shall be paid their actual and reasonable expenses, if any, of attendance at each meeting where a quorum is present at a rate of \$100.00 per scheduled meetings plus mileage to and from the meeting.

## **Section VI - Quorum**

Three (3) members of the Commission shall constitute a quorum for the transaction of business in any regular or special meeting. The act of the majority of members present at a meeting when a quorum is present shall be the act of the Commission. Once a quorum is lost the meeting shall be considered adjourned.

- A. Conduct of Meetings - Conduct of meetings shall be in accordance with Robert's Rules of Order (the most current edition).

## **Section VII - Voting**

The voting of the Commission will be by majority vote with a quorum present. A Commission member shall abstain from and shall exercise recusal when discussing or when the immediate party in question is an immediate member of the family. This would include mother, father, brother, sister, daughter, son, grandmother and grandfather and significant other. If a Commission member does not abstain or recuse themselves the Commission members can take a majority vote to recuse said Commissioner who is in conflict.

## **Section VIII - Regular Meetings**

Two or more regular meetings may be held each month. The Commissioners shall not meet less than once each month. As a courtesy, all Commissioners will notify the Executive Director or the MTGC Chairperson if they are unable to attend a meeting.

## **Section IX - Special Meetings**

Special meetings of the Commission may be called at the request of the Chairman and by the Executive Director.

## **Section X - Notice of Special Meetings**

Notice of any special meeting shall be given at least three (3) days prior thereto by written notice, delivered personally or mailed to each member at his or her address for such notice. The business to be transacted at any regular or special meeting of the Commission shall be specified in the notice of such meetings.

## **Section XI - Emergency Meetings**

An emergency meeting may be called at the discretion of the Chairman of the Commission with the concurrence of the majority of the Commissioners.

# **ARTICLE FOUR - OFFICERS:**

## **Section I - Number of Officers**

At the initial meeting, the Commission shall elect from the five members a Chairperson, Vice Chairperson and Secretary.

## **Section II - Duties of Officers**

### **Chairperson**

- A. The Chairperson shall preside at all meetings of the Commission and may also cast his/her vote.
- B. The Chairperson shall enforce these procedures and perform all duties as may be prescribed by the Commission from time to time.

- C. The Chairperson shall supervise the Executive Director on the day-to-day activity of the Commission.
- D. The Chairperson shall have the authority to enter the surveillance room in the event of an emergency or when called upon by the surveillance manager and in the absence of the Executive Director.

#### **Vice-Chairperson**

- A. In the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting, shall have all the powers and all the responsibilities of the office of the Chairperson. The Vice-Chairperson shall perform such other duties and have such other power as from time to time may be assigned to him/her by the Commission or Chairperson.

#### **Secretary**

- A. In the absence of the Chairperson and the Vice-Chairperson, the Secretary shall perform the duties of the Chairperson, and when so acting, shall have all the powers and all the responsibilities of the office of Chairperson. The Secretary shall perform such other duties and have such other power as from time to time may be assigned to him/her by the Commission Chairperson.

#### **Commissioners**

- A. The Commissioners, excluding the Chairperson and Vice-Chairperson shall perform duties as assigned to them by the Chairperson.
- B. A Commissioner acting in his/her capacity as a member of the Commission in the gaming facility will notify a member of the Commission body prior to entering the facility.

#### **Section III - Election of Officers**

The members shall elect a chairperson, vice-chairperson and a secretary annually on the first meeting in September. Each officer shall hold office until his/her successor has been duly elected and qualified, or until removed.

#### **Section IV - Vacancies and Removals**

All vacancies and removals are subject to the Menominee Indian Tribal Gaming Code 93-30.

#### **Section V - Resignation**

Any member may resign her/his office at any time, such resignation to be made in writing to the Menominee Tribal Gaming Commission. The resignation shall take effect with the appointment of a successor. The Menominee Tribal Gaming Commission shall forward the resignation to the Tribal Chairperson's office for recording and the scheduling of a special election or appointment to fill the remaining term.

## **ARTICLE FIVE - TRAVEL AND SPECIAL ASSIGNMENTS**

Menominee Gaming Commissioner's on special assignment shall be paid twenty dollars (\$20.00) per hour for time on task which shall include all travel time, but not exceed 10 hours in a twenty four (24) hour period. Commissioners shall be paid for incidental expenses. All Commissioners work requires prior approval by the Commission.

- A. All Gaming Commissioners' shall receive assignments for time on task issues from the Commission Chairman in written format with a time frame and requirements of a final product.
- B. Not more than one (1) individual Commissioner may be assigned to any one task at a time. Unless approved by the Commission.
- C. Commissioners shall submit their timecards to Gaming Commission staff office along with final task product/report. Each Commissioner will be prepared to speak to their assignment at the next regular meeting of the Commission.
- D. All requests for training/travel by Commissioners shall be approved by the Commission.
- E. Travel requests by Commissioner's shall be approved prior to trips by the Gaming Commission: provided, however, the Chairman shall have the authority to assign and approve Commission travel as the need may rise between meetings.
- F. Travel receipts shall be submitted within five (5) days of return. A short written report on trips, seminars or conventions shall be submitted to the Commission staff office.

## **ARTICLE SIX - AMENDMENTS:**

These procedures may be altered, amended, or repealed or new procedures adopted by a majority of the entire Commission at a regular or special meeting of the Commission.

Adopted 8/10/95  
Revised 8/12/98  
Revised 8/25/99  
Revised 1/12/00  
Revised 12/8/04  
Revised 5/6/05  
Revised 11/14/07